

Highland Licensing Board**Meeting – 6 January 2015**

Agenda Item	3
Report No	HLB/001/15

**Licences granted under Delegated Powers
under the Licensing (Scotland) Act 2005
during the period 25 November 2014 to 13 December 2014**

Report by Clerk to the Licensing Board**Summary**

This Report details Licences which have been granted under delegated powers by the Clerk to the Board during the period 25 November 2014 to 13 December 2014 and invites the Board to note the Report.

1.0 Licences Granted under Delegated Powers**1.1 Inverness, Nairn, Badenoch & Strathspey**

Name of Applicant	Type of Licence	Address of Premises	Date of Grant
Heather Erin Kelly McDonald	Personal	N/A	25/11/2014
John Horne	Personal	N/A	05/12/2014
Laura Pranaitiene	Personal	N/A	05/12/2014
Piotr Scieslka	Personal	N/A	05/12/2014
Lindsay Bennion	Personal	N/A	05/12/2014
Catherine Ann Welsh	Personal	N/A	05/12/2014
Pamela Cumming	Personal	N/A	05/12/2014
Michael Stitt	Personal	N/A	05/12/2014
Lauren Emily Davies Beaton	Personal	N/A	05/12/2014
William Randall DeWitt	Personal	N/A	05/12/2014
Gillian Anne Farquhar	Personal	N/A	09/12/2014
Marlyn Perrin	Personal	N/A	09/12/2014
Marion Livingstone	Personal	N/A	09/12/2014
Caledonia Catering Ltd	S33 Transfer	Skiing Doo Restaurant Myrtlefield Centre Aviemore	09/12/2014
Karen Ovenden	Minor Variation on Transfer	Struy Inn Beaully	04/12/2014
Caledonia Catering Ltd	S31 Minor Transfer	Ski-ing Doo Restaurant Aviemore	09/12/2014
Inverloch Castle Limited	S31 Minor Transfer	Rocpool Reserve Inverness	26/11/2014
HFS Highland Limited	S31 Minor Transfer	Muckrach Lodge Hotel & Restaurant Skye of	27/11/2014

		Curr, Dulnain	
The Highlanders' Museum Ltd	S31 Minor Transfer	The Highlanders' Museum Ltd Ardersier	26/11/2014
Cairngorm Brewery Company Limited	S31 Minor Transfer	Winking Owl Grampian Road, Aviemore	01/12/2014
Larsen and Ross (East) Ltd	S31 Minor Transfer	Cafe Centro East Gate Inverness	01/12/2014
Dobbies Garden Centre PLC	S31 Minor Transfer	Dobbies Garden Centre Inshes, Inverness	04/12/2014
Jacobite Cruises Limited	S31 Minor Transfer	Jacobite Warrior Inverness	04/12/2014
Ask Restaurants Limited	S31 Minor Transfer	Zizzi's Inverness	05/12/2014

1.2 Caithness, Sutherland & Easter Ross

Name of Applicant	Type of Licence	Address of Premises	Date of Grant
Wendy Campbell	Section 33 Transfer	Crown Bar, 95 High Street, Wick	02/12/2014
Richard Dowsett	Personal Licence		04/12/2014
Monica McQuiston	Personal Licence		04/12/2014
Mark Reid	Personal Licence		05/12/2014
Xavier Schwanen	Personal Licence		05/12/2014
Jainglea Van Acker	Personal Licence		05/12/2014
Hugh Mackay	Minor Variation	Mackay of Halkirk, 1 Sinclair Street, Halkirk	08/12/2014
Co-operative Group Food Limited	Substitution of Premises Manager	Co-op, Fountain Square, Brora	09/12/2014

1.3 Ross, Skye & Lochaber

Name of Applicant	Type of Licence	Address of Premises	Date of Grant
Evelyn M Cameron	Personal	n/a	04/12/2014
Alasdair Craig	Personal	n/a	04/12/2014
Angela M McCallum	Personal	n/a	04/12/2014
Anne McCallum	Personal	n/a	04/12/2014
Jacqueline A Patience	Personal	n/a	04/12/2014
Tracy A Tomlinson	Personal	n/a	04/12/2014
James I MacGregor	Personal	n/a	08/12/2014
Jacqueline E MacGregor	Personal	n/a	08/12/2014
Hazel M MacGregor	Personal	n/a	08/12/2014
Lynn Anderson	Personal	n/a	09/12/2014
Olivia Mae Carr	Personal	n/a	09/12/2014
Community Raasay Retail Association (CORRA) Ltd	S31 Variation	Raasay Community Stores	26/11/2014

Co-operative Group Food Ltd	Minor Variation	Co-operative Group Food Ltd, Broadford	28/11/2014
Community Raasay Retail Association (CORRA) Ltd	Minor Variation	Raasay Community Stores	08/12/2014
Clan Donald Lands Trust	S31 Variation	The Stables Restaurant and Café Bar	08/12/2014
Pamela Immerzeel	Personal	n/a	08/12/2014
Strathpeffer Pavilion Association Limited	S31 Variation	Strathpeffer Pavilion The Square Strathpeffer IV14 9DL	03/12/2014
Anne McCallum	Section 34 Transfer	Culbokie Inn Culbokie	10/12/2014
Anne McCallum	S31 Variation	Culbokie Inn Culbokie	10/12/2014

Recommendation

The Board is invited to note the report.

Signature: Alasdair H Mackenzie
 Designation: Clerk to the Licensing Board
 Date: 13 December 2014
 Author:

The Highland Licensing Board

Agenda Item	4
Report No	HLB/002/15

Meeting – 6 January 2015**Occasional Licences and Extended Hours granted under Delegated Powers under the Licensing (Scotland) Act 2005****during the period 25 November 2014 to 13 December 2014****Report by Alaisdair H Mackenzie, Clerk to the Licensing Board****Summary**

This Report details Occasional Licences and Extended Hours which have been granted under delegated powers by the Clerk to the Board during the period 25 November 2014 to 13 December 2014 and invites the Board to note the Report.

1.0 Occasional Licences**1.1 Inverness, Nairn, Badenoch and Strathspey**

Name of Applicant	Details of Event	Times of Event	Date of Event
British Legion Club (Inverness)	The British Legion Club (Inverness) Ltd Polish Brothers Music Night for 250 guests.	19.00-01.00 hrs	28/11/2014
Cantraybridge	Cantraybridge College Christmas Fair with retail stalls and Christmas party	Saturday, 13 December: 11.00- 16.00 hrs. Saturday, 20 December: 18.00- 23.00 hrs	13/12/2014 20/12/2014
Giraffe Concepts Limited	Giraffe Business Continuity	Monday-Sunday: 11.00-24.00 hrs	29/12/2014
Claire Kidger	Northern Meeting Park Hogmanay Celebrations	20.00-00.30 hrs	31/12/2014
Giraffe Concepts Limited	Giraffe Business Continuity	Monday-Sunday: 11.00-24.00 hrs	12/01/2015
The Showboaters Drama Group	Boat of Garten Community Hall Drama performance for 150 attendees	18 to 20 December: 18.00-23.00 hrs	18/12/2014 to 20/12/2014
The Showboaters Drama Group	Boat of Garten Community Hall Drama performance for 150 attendees	12 to 14 December: 18.00-23.00 hrs	12/12/2014 to 14/12/2014

Macdonald Aviemore Highland Resort Ltd	Aviemore Highlands Conference and Retail Centre Christmas Markets	29 and 30 November, 6 and 7 December: 11.00-20.00 hrs	29/11/2014 30/11/2014 6 and 7/12/2014
Macdonald Aviemore Highland Resort Ltd	Aviemore Highlands Conference and Retail Centre Christmas Markets	27 to 30 December: 11.00-20.00 hrs	27/12/2014 to 30/12/2014
Macdonald Aviemore Highland Resort Ltd	Aviemore Highlands Conference and Retail Centre Christmas Markets	13 and 14 and 20 and 21 December: 11.00-20.00 hrs	13 and 14/12/2014 20 and 21/12/2014
HIFRS Inverness Fire Station Sports and Social Club	Fire Brigade Sports and Social Club Annual function for 80 attendees.	12.00-22.00 hrs	30/12/2014
Glenmoriston Millennium Hall Committee	Glenmoriston Millenium Hall Communitly Hogmanay Ceilidh	18.00-01.00 (31/12/2014
Boat of Garten Community Hall	Boat of Garten Community Hall Communitly Hogmanay Ceilidh	20.00 hours to 01.00 hours	31/12/2014
Kincraig Shinty Club	Kincraig Village Hall Ceilidh with dance band/food for 200 attendees	20.00-01.00 hrs	31/12/2014

1.2 Ross Skye and Lochaber

Name of Applicant	Details of Event	Time of Event	Date of Event
Jonathan M Palmer	Wines and Spirits to accompany Christmas Hampers and special orders	1000 hrs to 1800 hrs – Mon to Fri 1000 hrs to 1700 hrs – Sat 1100 hrs to 1700 hrs – Sun	18/12/2014 to 31/12/2014
Robert J Hicks	Ceilidh Concert Ullapool Village Hall	2000 hrs to 2400 hrs	29/12/2014
Robert J Hicks	Ceilidh Concert Ullapool Village Hall	1900 hrs to 2400 hrs	03/01/2015
Muir of Ord Golf Club	Curling Club Quiz Muir of Ord Golf Club	1800 hrs to 2400 hrs	27/02/2014
John G MacKay	Masonic Meeting Fingal Lodge of Freemasons, Dingwall	1300 hrs to 2100 hrs	02/05/2014

Aultbea Community Hall Committee	Family Hogmanay Party	2000 hrs to 0200 hrs	31/12/2014
Fortrose and Rosemarkie Golf Club	New Year Celebration	1201 hrs to 0200 hrs	01/01/2015
Kenneth Gollan	Senior Citizen's Party	1800 hrs to 2300 hrs	05/12/2014
John R Gordon	Plockton Village Hall DJ Night	2100 hrs to 0200 hrs	26/12/2014
John R Gordon	Portree Community Centre DJ Night	2100 hrs to 0200 hrs	31/12/2014
John R Gordon	Skye Gathering Hall, Portree	2100 hrs to 0200 hrs	31/12/2014
Jennifer MacLeod	Family Ceilidh	1930 hrs to 2400 hrs	31/12/2014
Kyle Fire Station Charities Fund	Portree Community Centre Community Dance	2100 hrs to 0130 hrs	30/12/2014
Kyle Fire Station Charities Fund	Kyle Village Hall	2100 hrs to 0130 hrs	30/12/2014
Anne Marie Clegg	Community Ceilidh	1700 hrs to 0100 hrs	06/12/2014
Anne Marie Clegg	Glenuig Village hall	1700 hrs to 0100 hrs	06/12/2014
James McAdam	Lodge Lochiel 1200	1700 hrs to 0100 hrs	13/12/2014
James McAdam	Masonic, Banavie, Fort William	1700 hrs to 0100 hrs	13/12/2014

1.3 Caithness Sutherland and Easter Ross

Name of Applicant	Details of Event	Time of Event	Date of Event
Lybster Community Association	Lybster Community Centre – Mr and Mrs Competition and Quiz	2000 hrs to 0100 hrs	29/11/2014
Hans Henderson	Stock Trailer at Killimster Farm, by Wick – Ploughing Match	1100 hrs to 1800 hrs	29/11/2014
Ormlie Lodge Club	Ormlie Lodge Club – 50th Birthday Party	1800 hsr to 0100 hrs	06/12/2014
Andrew S Mackay	Wick Assembly Rooms – Gala Dinner Dance	1800 hrs to 0100 hrs (on-sales) and 1800 hrs to 2200 hrs (off-sales)	09/12/2014
R M Brora Ltd	Marquee within Rink at rear of Royal Marine Hotel, Golf Road, Brora – Christmas Party Night Dinner and Dance Band	1700 hrs to 0100 hrs	12/12/2014

Brora Bowling and Tennis Club	Brora Bowling and Tennis Club, Golf Road, Brora – Ceilidh Dance Class Christmas Dance	1930 hrs to 2330 hrs	15/12/2014
Hector Miller	Pittentrail Inn, Rogart – Community Council Christmas Dance	2000 hrs to 0100 hrs	19/12/2014
Royal British Legion Scotland, Thurso Branch Club	Royal British Legion, Thurso – Mad Friday	1200 hrs to 0100 hrs	19/12/2014
Bunillidh Thistle Sports Club	Bunillidh Thistle Sports Club, Couper Park, Helmsdale – Pool Competition	1400 hrs to 2400 hrs	20/12/2014
Lairg Gala Week	Lairg Community Centre, Lairg – Senior Citizens Christmas Party	1930 hrs to 0100 hrs	20/12/2014
Lodge St Andrew No 1318	Masonic Lodge, Station Road, Golspie – Members Birthday Party	1900 hrs to 2345 hrs	27/12/2014
R M Brora Ltd	Marquee within Rink at rear of Royal Marine Hotel, Golf Road, Brora – Hogmanay Gala Dinner and Dance Band	1700 hrs to 0200 hrs	31/12/2014
Penny Innes	Portgower Hall, Portgower, Helmsdale – Hogmany Dinner and Disco	1930 hrs to 0200 hrs	31/12/2014
Brora Golf Club	Brora Golf Club, Golf Road, Brora – Family Fun Day and Disco	1600 hrs to 2000 hrs	01/01/2015
Lieurary Hall Committee	Lieurary Hall, Thurso	1900 hrs to 0100 hrs	17/01/2015
R M Brora Ltd	Marquee within Rink at rear of Royal Marine Hotel, Golf Road, Brora – Wedding Dinner Dance with Dance Band	1500 hrs to 0100 hrs	17/01/2015
Bilbster and Thuster Hall Committee	Bilbster Hall, Wick – Burns supper and dance	1900 hrs to 0100 hrs	23/01/2015
John Mackay	Masonic Lodge, Invergordon – Masonic Meeting	1300 hrs to 2100 hrs	01/08/2015

2.0 Extended Hours

2.1 Inverness, Nairn, Badenoch and Strathspey

Name of Premises	Details of Extension	Time of Extension	Date of Extension
The Star Hotel 3 Church Street Nairn.	Festive Policy Hours	Monday-Thursday: 24.00-02.00 hrs	13/12/2014
Mackenzie's Grampian Road, Aviemore	Festive Policy Hours	Monday-Sunday: 01.00-02.00 hrs	13/12/2014
Planefield Bowling Club Planefield Road, Inverness	Hogmanay Party	23.00-02.00 hrs	31/12/2014
The Eagle 50 Baron Taylor Street, Inverness	Festive Policy Hours	Monday-Saturday: 01.00-02.	13/12/2014
The Nip Inn 20 Grant Street Inverness	Business continuity	Sunday, 28 December: 11.00-12.30 hrs	28/12/2014
The Nip Inn 20 Grant Street, Inverness	Business continuity	Sunday, 11 January: 11.00-12.30 hrs	11/01/2015
Clachnaharry Inn 17-19 High St, Inverness	New Years Eve extension	Wednesday, 31 December: 01.00-02.00)	31/12/2014
The Nip Inn 20 Grant Street, Inverness	Business continuity	Sunday, 14 December: 11.00-12.30 hrs	14/12/2014
The Nip Inn 20 Grant Street, Inverness	Business continuity	Sunday, 25 January: 11.00-12.30 hrs	25/01/2015
No.7 The Square, Granttown on Spey	Private Party on Hogmanay	23.00-01.00 hrs	31/12/2014
Gunsmiths 30 Union Street, Inverness	Festive Policy Hours	Monday-Sunday: 01.00-02.00 hrs	13/12/2014
Braeval Hotel Crescent Road, Nairn	Festive Policy Hours	Monday-Sunday: 01.00-02.00	13/12/2014
Kool Runnings - A Taste of Jamaica Ltd Church Street, Inverness	Festive Policy Hours	Sunday: 23.00-02.00 hrs	13/12/2014
Star Hotel High Street, Kingussie	Hogmanay	24.00-02.00 hrs	31/12/2014
Johnny Foxes Bank Street, Inverness.	Festive Policy Hours	03.00-04.00	13/12/2014

2.2 Caithness, Sutherland and Easter Ross

Name of Premises	Details of Extension	Time of Extension	Date of Extension
Ferry Inn, Scrabster	Christmas Parties	2345 hrs to 0100 hrs 2345 hrs to 0200 hrs	06/12/2014 13 and 20/12/2014
Station Hotel, Alness	Festive Period	2400 hrs to 0100 hrs 2330 hrs to 2400 hrs 2400 hrs to 0100 hrs 2330 hrs to 2400 hrs 2400 hrs to 0100 hrs 2330 hrs to 2400 hrs 2400 hrs to 0100 hrs 2330 hrs to 2400 hrs 2400 hrs to 0100 hrs 2330 hrs to 2400 hrs	06/12/2014 07/12/2014 13/12/2014 14/12/2014 20/12/2014 21/12/2014 27/12/2014 28/12/2014
Storehouse, Foulis	Christmas Parties	1900 hrs to 2400 hrs 1900 hrs to 2400 hrs 1900 hrs to 2400 hrs 1900 hrs to 2400 hrs 1900 hrs to 2400 hrs 1900 hrs to 2400 hrs	06/12/2014 12/12/2014 15/12/2014 17/12/2014 18/12/2014

Brown Trout Hotel, Watten	Festive Period	2345 hrs to 0200 hrs 2345 hrs to 0100 hrs 2400 hrs to 0100 hrs 0100 hrs to 0200 hrs 2345 hrs to 0200 hrs 2345 hrs to 0100 hrs 2400 hrs to 0100 hrs 2400 hrs to 0200 hrs 2400 hrs to 0100 hrs 0100 hrs to 0200 hrs 2345 hrs to 0200 hrs	13/12/2014 14/12/2014 15 – 18/12/2014 20/12/2014 20/12/2014 21/12/2014 22 - 25/12/2014 27/12/2014 28/12/2014 29 – 30/12/2014 31/12/2014 01/01/2015 03/01/2015 03/01/2015
Y-Not Bar and Grill and Grove Lounge, Thurso	Festive Period	Daily to 0200 hrs	13/12/14-4/1/15
Mackays Hotel, Wick	Festive Period	Daily to 0200 hrs	13/12/14-4/1/15
Camps Bar, Wick	Festive Period	Daily to 0200 hrs	13/12/14-4/1/15
Skinandi's Nightclub, Thurso	Festive Period	Daily to 0400 hrs	13/12/14 - 04/01/15
Queen's Hotel, Wick	Festive Period	0100 hrs to 0200 hrs 2345 hrs to 0200 hrs 2400 hrs to 0200 hrs	20 – 31/12/2014
Commercial Hotel, Lybster	Festive Period	2345 hrs to 0100 hrs 2400 hrs to 0100 hrs 2345 hrs to 0100 hrs 2400 hrs to 0100 hrs	21/12/2014 22 - 25/12/2014 28/12/2014 29/12/2014 – 01/01/2015
Alness Golf Club	Hogmanay Celebration	2400 hrs to 0200 hrs the following day	31/12/2014
Ormlie Lodge Club, Thurso	Hogmanay Party	0100 hrs to 0200 hrs	01/01/2015

2.3 Ross, Skye and Lochaber

Name of Premises	Details of Extension	Time of Extension	Date of Extension
Seaforth Inn, Ullapool	Festive Season	0100 hrs to 0200 hrs	13, 14, 20, 21, 25, 27, 28 Dec 2014 and 01/01/2015
The Arch Inn, Ullapool	Christmas Parties and Entertainment	0100 hrs to 0200 hrs	13, 14, 20, 21, 25, 27, 28 Dec 2014 and 1, 3, 4 Jan 2015
Alangrange Arms	Festive Holiday Period	0100 hrs to 0200 hrs	14, 20, 21, 27, 28 Dec 2014 and 01 Jan 2015
Applecross Community Hall	New Year Function	2100 hrs to 0130 hrs	31/12/2014
Royal Hotel, Portree	Festive Season Dance/Party	0100 hrs to 0200 hrs	27/12/2014
Skeabost Country House Hotel	Festive Period	0030 hrs to 0200 hrs Sunday 2300 hrs to 0200 hrs Sunday into Monday 0100 hrs to 0200 hrs Tuesday to Saturday	13/12/2014 to 04/01/2015
Glenelg Inn	New Year Celebrations	2300 hrs to 0100 hrs 30/12/2014 and 01/01/2015 2300 hrs to 0200 hrs – 31/12/2014 0030 hrs to 0100 hrs – 03/01/2015	30/12/2014 to 03/01/2015
Glencoe Ski Centre	Local Book Launch	2300 hrs to 0100 hrs	06/12/2014
Chlachain Inn, Mallaig	Festive Period	To: 0100 hrs – To 0200 hrs -	15, 22 and 29/12/2014 13, 14, 16-21, 23-31/12/2014 and 01-04/01/2015
Volunteer Arms, Fort William	Festive Period	To: 0200 hrs To: 0400 hrs	14-18; 21-23, 25, 28-30/12/2014 13, 19, 20, 24, 26, 27 and 31/12/2014 – 01-03/01/2015

The Nevis Centre	Festive Period	To: 0200 hrs	13/12/2-14 – 04/01/2015
Loch Shiel Hotel, Acharacle	Festive Period	To: 0200 hrs	13/12/2014 – 04/01/2015
Marine Hotel, Mallaig	Festive Period	To: 0200 hrs	13/12/2014 – 04/01/2015

3.0 Recommendation

The Board is invited to note the report.

Signature: Alasdair H Mackenzie

Designation: Clerk to the Licensing Board

Date: 13 December 2014

The Highland Licensing Board**Meeting – 6 January 2015**

Agenda Item	5
Report No	HLB/003/15

**The Licensing (Scotland) Act 2005
Premises Licence Review Hearings - Non Payment of Annual Premises
Licence Fees
Report by the Clerk to the Licensing Board**

Summary

The Board made premises licence review proposals on 11 December 2014 in respect of those premises for which the annual premises licence fee for the year 2014/15 remained unpaid in breach of the mandatory condition of licence. The Board must hold review hearings to consider and determine their review proposals in respect of the following premises for which annual licence fees remain unpaid.

1	HC/RSL/0271	Marine Hotel, Mallaig
2	HC/RSL/1221	Duntulm Castle Hotel, Duntulm
3	HC/RSL/0158	MacKinnon Country House Hotel, Kyleakin
4	HC/INBS/60	Croy Shop, Croy
5	HC/INBS/462	Daviot Lodge, Daviot
6	HC/INBS/557	Macveans, Fort Augustus
7	HC/INBS/362	The Lodge Hotel, Newtonmore
8	HC/INBS/228	UV Nightclub, Inverness
9	HC/INBS/542	Whisky by MacWilliam, Inverness
10	HC/INBS/19	Windsor Hotel, Nairn

1. In terms of the Licensing (Scotland) Act 2005 an annual fee is payable for each premises licence. The fee becomes due on 1 October in each year.
2. The fees in respect of the licences for each of the premises listed above were due on 1 October 2014.
3. The Board has complied with its legal obligation to send a reminder no later than 30 days before the date on which the fees were due.
4. The licence holders listed above have accordingly received these reminders and have been advised of the possible consequences of failure to pay.

5. Payment of the annual fee is a mandatory condition of holding a licence and the Act clearly specifies that the fee must be paid as required.

The annual fees represent approximately 66% of the income required by the Board to meet the expenses incurred by the Board in administering the Act.

6. The Premises Licence Holders listed above and the Licensing Standards Officer for the area in which each premises concerned are situated have been given notice of the review proposals and of the review hearings.

7. The Licensing Standards Officers' Reports on the review proposals are attached at Appendix 1 and the Board must take the relevant report into account at each review hearing.

8. In terms of Section 39 of the Act, if at a review hearing the Board is satisfied that the ground for review is established, the Board may take such of the following steps as the Board considers necessary or appropriate for the purposes of any of the licensing objectives:-

1. Issue a written warning
2. Make a variation of the licence
3. Suspend the licence for such period as the Board may determine
4. Revoke the licence

7. Recommendation:

The Board is invited to hear the above licence holders and then to consider and determine the premises licence review proposal for each of the premises detailed above.

Author: Clerk to the Licensing Board

Date: 12 December 2014

Appendices: Licensing Standards Officer's Reports

The Highland Licensing Board**Meeting – 6 January 2015**

Agenda Item	6
Report No	HLB/004/15

Supplementary Policy Statement on Extended Hours**Report by the Clerk to the Licensing Board****Summary**

This Report invites the Board to consider whether to go to consultation on the introduction of a supplementary policy statement identifying specific events and occasions, in addition to the festive period, in which applications for extended terminal hours will generally be considered favourably.

1. Background

- 1.1** Under section 68 of the Licensing (Scotland) Act 2005 the Board may, on the application of a premises licence holder, extend the licensed hours of the premises by such period as is specified in the application or by such other period as the Board consider appropriate.
- 1.2** Before granting extended hours in respect of any premises, the Board must first be satisfied that it is appropriate to do so in connection with either:
- (i) a special event or occasion to be catered for on the premises, or
 - (ii) a special event of local or national significance.
- 1.3** The Board's Policy Statement identifies the annual festive period as an occasion of significance during which the Board will generally grant applications to extend the terminal hour to 0400 at late opening premises and to 0200 hours at other on-sales premises.
- 1.4** Under the Board's Scheme of Delegation, extended hours applications can be granted by the Clerk where the hours applied for are within policy and there is no notice of objection from the Chief Constable.
- 1.5** If the hours sought are outwith policy or there is a notice of objection from the Chief Constable the application must be referred to the Convener for determination.
- 1.6** Recent applications for extended hours (similar to festive period terminal hours) at Halloween were refused by the Convener on the basis that the hours sought were outwith the core hours identified in the Board's Policy Statement and, other than the festive period, no specific occasions on which such extended hours are considered appropriate are identified in the Policy Statement.

- 1.7** This raised the question as to whether the Board might wish to consider developing a supplementary policy statement specifying events and occasions (in addition to the festive period) in respect of which applications for extended terminal hours similar to those allowed during the festive season would generally be granted in the absence of any other material reason to refuse them.
- 1.8** If the Board is minded to consider developing such a policy, the Board's proposals would require to go out to public and statutory consultation prior to the Board's reaching a final decision as to whether to introduce a supplementary policy statement and as to what the terms of such a policy statement should be.
- 1.9** Although consultation would include an invitation to those in favour of introduction of a supplementary policy statement to suggest the occasions and events which should be included, the Board may wish to agree a provisional list of such occasions and events on which to specifically consult.

4.0 Recommendation

4.1 The Board is invited

- (i) to consider whether to go to consultation on a proposal to introduce a supplementary policy statement identifying specified events and occasions, in addition to the festive period, in respect of which applications for extended terminal hours may be considered favourably, and
- (ii) if the Board agrees to go to consultation on such a proposal, to reach a view on what specified events and occasions, and what dates surrounding those events and occasions, should be included in the proposal.

Date: 12 December 2014

Author: Susan Blease

Background Papers: Licensing Policy Statement 2013 - 16

The Highland Licensing Board**Meeting – 6 January 2015**

Agenda Item	7.1
Report No	HLB/005/15

Application for a major variation of Premises Licence under the Licensing (Scotland) Act 2005**The Nip Inn, 20 Grant Street, Inverness IV3 5BL****Report by the Clerk to the Licensing Board****Summary**

This Report relates to an application for a major variation of Premises Licence by Bydan (Scotland) Ltd, Roslyn House, 14 Links Place, Nairn IV12 4NH per Lorna Murray, Solicitor 45 Culduthel Road, Inverness IV2 4HQ

1.0 Description of Premises

1.1 The premises operate as a public house. They are purpose built located in the shopping area of Grant Street, Inverness and serve the local community. It consists of a single public bar area, cellarage, store and toilets.

2.0 Current Operating Hours

The premises currently enjoy the following operating hours:

On sales:

Monday to Saturday: 0900 hours to 2300 hours
Sundays: 1230 hours to 2300 hours

3.0 Summary of Variation Application**3.1 Variation Sought**

The applicant seeks to vary the premises licence as follows:-

- (1) Sundays 1100 hours to 2300 hours

4.0 Background

4.1 On 14 November 2014 the Licensing Board received an application for a major variation of a Premises Licence from the applicant's agent, Lorna Murray, Solicitor, 45 Culduthel Road, Inverness IV2 4HQ.

- 4.2 The application was publicised during the period 19 November until 10 December 2014 and confirmation that the site notice was displayed has been received.
- 4.3 In accordance with standard procedure, Police Scotland, the Scottish Fire & Rescue Service and the Council's Community Services (Environmental Health) and Planning and Building Standards were consulted on the application.
- 4.4 Notification of the application was also sent to NHS Highland and the local Community Council, Merkinch-Central.
- 4.5 Further to this publication and consultation process, no timeous objections or representations have been received.
- 4.6 The applicant must nevertheless be given the opportunity to be heard before the Board determines the application and has accordingly been invited to the meeting. The applicant has been advised of the hearings procedure which may also be viewed via the following link:

http://www.highland.gov.uk/downloads/download/428/liquor_licence_objections_appeals_notices_of_determination

5.0 Legislation

- 5.1 The Licensing Board must in considering and determining the application, consider whether any grounds of refusal apply and if none of them applies, the Board must grant the application.

Relevant grounds of refusal may be: -

1. the grant of the application will be inconsistent with one or more of the licensing objectives;
 2. having regard to (i) the nature of the activities carried on or proposed to be carried on in the subject premises, (ii) the location, character and condition of the premises, and (iii) the persons likely to frequent the premises, the Board considers the premises are unsuitable for use for the sale of alcohol in accordance with the proposed variation;
 3. having regard to the number and capacity of licensed premises of the same or similar description as the subject premises (taking account of the proposed variation) in the locality in which the subject premises are situated, the Board considers that, if the application were to be granted, there would, as a result, be overprovision of licensed premises or licensed premises of that description in the locality.
- 5.2 The Board only has power either to grant the application and make a variation of the conditions to which the licence is subject or to refuse the application.

5.3 If the Board refuses the application, the Board must specify the ground for refusal and if the ground for refusal relates to a licensing objective, the Board must specify the objective in question.

6.0 Licensing Standards Officer

6.1 The LSO has provided the following comments:-

The Nip Inn is a small traditional public house situated on Grant Street, Inverness.

The premises have a good history of responsible trading and compliance visits carried out by the LSO has shown the operators to be observing the terms and conditions of their Licence.

The application seeks to permit Sunday trading to commence from 11.00hrs which is in line with current Highland Licensing Board policy hours.

In the opinion of the LSO there would be no adverse effect on the Licensing Objectives should the Board be minded to grant this application.

7.0 HLB Local Policies

7.1 The following policies are relevant to the application:-

- (1) Highland Licensing Board Policy Statement 2013-16
- (2) Highland Licensing Board Equality Strategy

8.0 Conditions

8.1 Mandatory Conditions

If the application is approved the mandatory conditions set out in Schedule 3 of the Act will apply.

8.2 Local Conditions

Existing local conditions will continue to apply and no additional local conditions are considered necessary.

8.3 Special Conditions

No special conditions are considered necessary.

Recommendation

The Board is invited to determine the above application.

If the Board is minded to refuse the application, the Board must specify the ground for refusal and if the ground for refusal is in relation to a licensing objective, the Board must specify the objective in question.

Reference: HCINBS/03

Date: 11 December 2014

Author: Wendy Grosvenor

Background Papers: The Licensing (Scotland) Act 2005/Application Form.

The Highland Licensing Board**Meeting – 6 January 2015**

Agenda Item	7.2
Report No	HLB/006/15

Application for a major variation of Premises Licence under the Licensing (Scotland) Act 2005**The Stables Restaurant and Café Bar, Armadale, Sleat, Isle of Skye, IV45 8RS****Report by the Clerk to the Licensing Board****Summary**

This Report relates to an application for a major variation of Premises Licence by Clan Donald Lands Trust, Armadale, Sleat, Isle of Skye, IV45 8RS.

1.0 Description of Premises

1.1 The Stables Restaurant and Café Bar is a solely occupied building and the primary food venue serving the Armadale Castle Gardens and Museum of the Isles owned and operated by the Clan Donald Lands Trust. It is located in the renovated stables building on the old Macdonald Estate. There is a terraced area surrounded by a wall on the back of the building and an outdoor drinking area at the front of the premises where food and alcoholic beverages can be consumed by patrons.

2.0 Summary of Variation Application**2.1 Variation Sought**

The applicant seeks to vary the premises licence as follows:-

- (1) Inclusion of Gatehouse Shop as part of licensed premises (off sales capacity of 0.65 square metres)

4.0 Background

- 4.1 On 10 November 2014 the Licensing Board received an application for a major variation of a Premises Licence from Clan Donald Lands Trust.
- 4.2 The application was publicised during the period 14 November 2014 until 5 December 2014 and confirmation that the site notice was displayed has been received.
- 4.3 In accordance with standard procedure, Police Scotland, the Scottish Fire & Rescue Service and the Council's Community Services (Environmental Health) and Planning and Building Standards were consulted on the application.

- 4.4 Notification of the application was also sent to NHS Highland and the local Community Council.
- 4.5 Further to this publication and consultation process, no timeous objections or representations have been received.
- 4.6 The applicant must nevertheless be given the opportunity to be heard before the Board determines the application and has accordingly been invited to the meeting. The applicant has been advised of the hearings procedure which may also be viewed via the following link:

http://www.highland.gov.uk/downloads/download/428/liquor_licence_objections_appeals_notices_of_determination

5.0 Legislation

- 5.1 The Licensing Board must in considering and determining the application, consider whether any grounds of refusal apply and if none of them applies, the Board must grant the application.

Relevant grounds of refusal may be: -

1. the grant of the application will be inconsistent with one or more of the licensing objectives;
 2. having regard to (i) the nature of the activities carried on or proposed to be carried on in the subject premises, (ii) the location, character and condition of the premises, and (iii) the persons likely to frequent the premises, the Board considers the premises are unsuitable for use for the sale of alcohol in accordance with the proposed variation;
 3. having regard to the number and capacity of licensed premises of the same or similar description as the subject premises (taking account of the proposed variation) in the locality in which the subject premises are situated, the Board considers that, if the application were to be granted, there would, as a result, be overprovision of licensed premises or licensed premises of that description in the locality.
- 5.2 The Board only has power either to grant the application and make a variation of the conditions to which the licence is subject or to refuse the application.

If the Board refuses the application, the Board must specify the ground for refusal and if the ground for refusal relates to a licensing objective, the Board must specify the objective in question.

6.0 Licensing Standards Officer

6.1 The LSO has provided the following comments:-

- (1) The capacity sought of 0.65 sqm (i.e. the size of the alcohol display area) does not exceed 40sqm in line with the overprovision statement contained within the policy of the Highland Licensing board.
- (2) The layout plan submitted complies with the required specifications and mandatory conditions.
- (3) There would not appear to be any matter contained within the application that is inconsistent with the licensing objectives.

7.0 HLB Local Policies

7.1 The following policies are relevant to the application:-

- (1) Highland Licensing Board Policy Statement 2013-16
- (2) Highland Licensing Board Equality Strategy

8.0 Conditions

8.1 Mandatory Conditions

If the application is approved the mandatory conditions set out in Schedule 3 of the Act will apply.

8.2 Local Conditions

Existing local conditions will continue to apply and no additional local conditions are considered necessary.

8.3 Special Conditions

No special conditions are considered necessary.

Recommendation

The Board is invited to determine the above application.

If the Board is minded to refuse the application, the Board must specify the ground for refusal and if the ground for refusal is in relation to a licensing objective, the Board must specify the objective in question.

Reference: HC/RSL/1265

Date: 8 December 2014

Author: AHM/cn

Background Papers: The Licensing (Scotland) Act 2005/Application Form.

